

REVISED PLANNING COMMISSION AGENDA
CITY OF NEWPORT BEACH
COUNCIL CHAMBERS - 3300 NEWPORT BOULEVARD
Thursday, March 17, 2011
Regular Meeting - 6:30 p.m.

EARL MCDANIEL
Chairperson

ROBERT HAWKINS
CHARLES UNSWORTH
BARRY EATON

FRED AMERI
MICHAEL TOERGE
BRADLEY HILLGREN

Planning Commissioners are citizens of Newport Beach who volunteer to serve on the Planning Commission. They were appointed by the City Council by majority vote for 4-year terms. At the table in front are City staff members who are here to advise the Commission during the meeting. They are:

JAMES CAMPBELL, Acting Planning Director

LEONIE MULVIHILL, Assistant City Attorney

PATRICK ALFORD, Planning Manager

TONY BRINE, City Traffic Engineer

GREGG RAMIREZ, Senior Planner

JAIME MURILLO, Associate Planner

MARLENE BURNS, Administrative Assistant

NOTICE TO THE PUBLIC

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. Staff reports or other written documentation have been prepared for each item of business listed on the agenda. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Planning Department staff at (949) 644-3200. The agendas, minutes and staff reports are also available on the City's web site at: <http://www.newportbeachca.gov>.

This committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or lbrown@newportbeachca.gov).

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

APPEAL PERIOD: Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan and Zoning Amendments are automatically forwarded to the City Council for final action.

NEWPORT BEACH PLANNING COMMISSION AGENDA
Council Chambers – 3300 Newport Boulevard
Thursday, March 17, 2011
REGULAR MEETING
6:30 p.m.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. PUBLIC COMMENTS**

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to 3 minutes. Before speaking, please state your name for the record and print your name on the tablet provided at the podium.

- E. REQUEST FOR CONTINUANCES**
- F. CONSENT ITEMS**

ITEM NO. 1 Minutes of February 17, 2011

ACTION: Approve and file.

ITEM NO. 2 Minutes of March 3, 2011

ACTION: Approve and file.

- G. PUBLIC HEARING ITEMS – None.**

ALL TESTIMONY GIVEN BEFORE THE PLANNING COMMISSION IS RECORDED. SPEAKERS MUST LIMIT REMARKS TO THREE MINUTES ON ALL ITEMS. (Red light signifies when three minutes are up; yellow light signifies that the speaker has one minute left for summation.) Please print only your name on the pad that is provided at the podium.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning Department located at 3300 Newport Boulevard, during normal business hours.

- H. NEW BUSINESS**

ITEM NO. 3 Minimum Side Setback Determination (PA2011-013)
Broadmoor Pacific View Planned Community

SUMMARY: Staff is seeking a determination from the Planning Commission regarding the Acting Deputy Director's decision on the application of side setbacks within the Broadmoor Pacific View Planned Community District.

CEQA COMPLIANCE: This action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably

foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

ACTION: 1) Affirm the determination of the Acting Deputy Director on the application of side setbacks within the Broadmoor Pacific View Planned Community District.

ITEM NO. 4 Zoning Code Implementation – Discussion Items

- Review Authority for Alcohol Sales
- In-Lieu Parking
- Planning Commission Appeals

SUMMARY: At the request of the Planning commission, this item has been placed on the agenda to give the Commission the opportunity to discuss the changes in the updated zoning code related to the alcohol sales and in-lieu parking fees.

CEQA COMPLIANCE: This action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

I. STAFF AND COMMISSIONER ITEMS

ITEM NO. 5 Planning Director's report.

ITEM NO. 6 Planning Commission reports.

ITEM NO. 7 Announcements on matters that Commission members would like placed on a future agenda for discussion, action, or report.

ITEM NO. 8 Request for excused absences.

ADJOURNMENT